

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JOAN TRUMAN SMITH

V.

BRYCO ARMS, Inc., et al.

**CIVIL ACTION NO:
CV 02 3029 (JBW)**

Honorable Jack B. Weinstein

AFFIDAVIT OF JANICE JENNINGS

STATE OF TEXAS)
)
) ss:
COUNTY OF)

Before me, the undersigned authority, personally appeared Janice Jennings, who is known to me, and who after being duly sworn deposes and says:

I, JANICE JENNINGS, being over eighteen (18) years of age and competent to testify as a witness and having personal knowledge of the facts set forth below do herein make oath in due form as follows:

1. I am the President of Bryco Arms, Inc. ("Bryco"), located in Costa Mesa, California, and I have served in this capacity since approximately 1990. I am also the sole officer, director and stockholder of Bryco. My office as President is located at the Bryco plant at 380 Clinton Street in Costa Mesa. I am presently a resident of the State of Texas and maintain a small office near Dallas to conduct the business of Bryco in my capacity as President when I am not at the principal office of Bryco in Costa Mesa, California. This office in Texas was opened in 2000.

2. Tony Acosta has never been authorized to act on behalf of RKB in accepting service or otherwise, therefore, Mr. Acosta is not, nor was not, authorized to accept service of the summons in this case on behalf of RKB. It is my understanding that Mr. Acosta brought this to the attention

of the process server who nevertheless left the summons and the complaint in this action with him.

3. RKB Investments is a general partnership set up under the laws of California on August 25, 1987, naming as partners three trusts in the names of the children of Bruce and Janice Jennings, the Rhonda Jennings California Trust, the Kimberley K. Jennings California Trust and the Bradley A. Jennings California Trust, and as co-trustees, Bruce Jennings and myself. *See General Partnership Agreement of RKB Investments, dated August 25, 1987*, attached hereto as Ex. 1. The trusts comprising the general partnership of RKB Investments, the Rhonda Jennings California Trust, the Kimberley K. Jennings California Trust and the Bradley A. Jennings California Trust were set up to expire when the beneficiary of the trust reaches the age of twenty-five. Under this arrangement, the Rhonda Jennings California Trust expired about ten years ago. The two remaining trusts, the Kimberley K. Jennings California Trust and the Bradley A. Jennings California Trust, are the current partners in RKB Investments and the principal asset of each trust is the partnership in RKB Investments.

4. RKB Investments was established for the purpose of buying, selling, leasing and dealing in real estate, and, at no time, has it ever been involved in any aspects of the firearm business. RKB owns property in the State of California only and has never transacted or conducted business, or owned property, in Nevada, New York or any other state. Specifically, it has never owned, directly or indirectly, any interest in Bryco, BLJ or any other corporate entity or interest. Its only connection with Bryco is that it owns the land upon which Bryco has its corporate offices and manufacturing operation.

I declare under the penalty of perjury under the laws of the State of Texas
that the contents of the foregoing affidavit are true and correct to the best of my knowledge.

Dated: July 15, 02

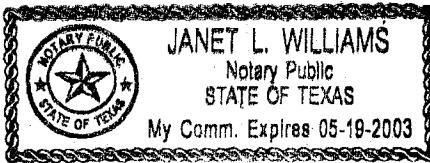
Janice Jennings
Janice Jennings
President, Bryco Arms, Inc.

Sworn to me this
15th day of July, 2002.

Date: 7-15-02

Janet L. Williams
Notary Public

My commission expires on: _____



(B0275978.WPD;1) 21435-1

TOTAL P.04